

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: EVELYN K. RACAVITCH
AKA: EVELYN RACAVITCH

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

vs.

EVELYN K. RACAVITCH
AKA: EVELYN RACAVITCH

CASE NO: 5-18-00455-RNO

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on July 17, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on February 28, 2018.
2. A Confirmation hearing was held and an Order was entered on May 2, 2018 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

s/ Agatha R. McHale, Esq.
Id: 47613
Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee
Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
Ph. 717-566-6097
Fax. 717-566-8313
eMail: amchale@pamd13trustee.com

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NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA	Date: August 21, 2018 Time: 09:30 AM
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Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: July 17, 2018

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN EVELYN K. RACAVITCH
RE: AKA: EVELYN
 RACAVITCH

CHAPTER 13

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CHAPTER 13 TRUSTEE
Movant

CERTIFICATE OF SERVICE

AND NOW, on July 17, 2018, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

TULLIO DeLUCA, ESQUIRE
381 N 9TH AVENUE
SCRANTON, PA 18504-

EVELYN K. RACAVITCH
1616 FOREST ACRES DR.
CLARKS SUMMIT, PA 18411

Respectfully Submitted,
s/ Vickie Williams
for Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: July 17, 2018

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AKA: EVELYN RACAVITCH

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.